

Attorney Docket No. 020043

REMARKS

Claims 1-24 were pending in the present application. In the above amendments, Claims 1, 3-8, 10-14, 17 and 19-23 have been currently amended, and Claim 24 has been cancelled. Therefore, after entry of the above amendments, Claims 1-23 will be pending in this application, in which Claims 1, 8 and 17 are independent. Support for the amendment may be found throughout the specification and drawings, especially in paragraphs [0051] through [0064] at pages 14 through 18 of the Specification. Applicants believe that the present application is now in condition for allowance, for which prompt and favorable action is respectfully requested.

REJECTION UNDER 35 U.S.C. §102

The Patent Office rejected Claims 1-24 under 35 U.S.C. §102(e) as being allegedly anticipated by U.S. Patent No. 6,438,117 issued to Grilli et al. (hereinafter "Grilli"). The rejection is respectfully traversed in its entirety.

Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. *W.L. Gore & Assocs. v. Garlock*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), cert. denied, 469 U.S. 851 (1984). Further, "anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim." *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)) (emphasis added).

Independent Claim 1, as amended, recites, among other things, elements "generating at the first mobile switching control station an Application Data Delivery Service (ADDS) message containing handoff data ... generating at the mobile station a Mobile Application Protocol (MAP) message containing the handoff data" (emphasis added). Applicants respectfully submit

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these elements are not taught or suggested by Grilli. Indeed, after a diligent search, Applicants were not able to find the terms "Application Data Delivery Service (ADDS) message containing handoff data" and "Mobile Application Protocol (MAP) message containing the handoff data" in Grilli.

At least based on this reason, Claim 1 is allowable.

Independent Claims 8 and 17 each recite elements similar to the foregoing described elements of Claim 1 and are thus allowable since Claim 1 is allowable.

As a result, all pending Claim 1-23 are allowable.

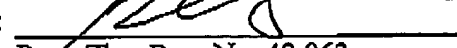
CONCLUSION

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

Dated: April 21, 2006

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